

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SCOTT RODRIGUES)	
Plaintiff)	C.A. 07-10104-GAO
)	
v.)	
)	
EG SYSTEMS, INC. d/b/a Scotts)	
LawnService)	
Defendant)	

NOTICE OF APPEAL

The plaintiff, Scott Rodrigues, hereby appeals from the Order, Opinion and Judgment of the Court entered on July 24, 2009 allowing the defendant's motion for summary judgment and denying the plaintiff's motion for partial summary judgment.

Respectfully submitted,

Scott Rodrigues, plaintiff
By his attorneys,

/s/ Harvey A. Schwartz
HARVEY A. SCHWARTZ
BBO # 448080
LORI A. JODOIN
BBO# 655840
Rodgers, Powers & Schwartz
18 Tremont Street
Boston, MA 02108
(617) 742-7010

Certificate of service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on July 24, 2009.

/s/ Harvey A. Schwartz

Harvey A. Schwartz